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In re Application of OKANO et al :  
U.S. Application No.: 10/575,498 :  
PCT Application No.: PCT/JP2004/015483 :  
Int. Filing Date: 20 October 2004 : DECISION  
Priority Date Claimed: 24 October 2003 :  
Attorney Docket No.: M1071.1971 :  
For: WAVEGUIDE CONVERSION DEVICE, :  
WAVEGUIDE ROTARY JOINT, AND :  
ANTENNA DEVICE :

This is in response to applicant's "Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 26 September 2006.

**BACKGROUND**

On 20 October 2004, applicant filed international application PCT/JP2004/015483, which claimed priority of an earlier Japan application filed 24 October 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 06 May 2005. The thirty-month period for paying the basic national fee in the United States expired on 24 April 2006.

On 11 April 2006, applicant filed purported national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was not accompanied by the basic national fee required by 35 U.S.C. 371(c)(1).

International application PCT/JP2004/015483 became abandoned as to the United States for failure to timely pay the basic national fee.

On 26 September 2006, applicant filed the present petition under 37 CFR 1.137(b).

### DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

### CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 20 October 2004, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 26 September 2006.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

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